

Evening Telegraph

PUBLISHED EVERY AFTERNOON, (SUNDAYS EXCEPTED), AT THE EVENING TELEGRAPH BUILDING, NO. 108 S. THIRD STREET.

Price, Three Cents Per Copy (Double Sheet), or Eighteen Cents Per Week, payable to the Carrier, and sent to subscribers out of the city at Nine Dollars Per Annum, One Dollar and Fifty Cents for Two Months, invariably in advance for the period ordered.

FRIDAY, APRIL 12, 1867.

The Public Offices, and Who Ought to Fill Them.

There are two things that we are astonished at—the impudence of Democrats in begging for office, and the complacency of the Republican majority in the Senate in making confirmations. By all the rules of political action known in this country, the Republicans are entitled to the Federal offices, and the Democrats are not entitled to a single one of them. In 1864 the two parties fought a square out-and-out fight, and the Republican party won the day. That victory, by the rules of politics acted on in this country by all parties for the last forty years, gave the Republicans a right to the offices. Nothing has since occurred to impair that right. The Republican party still remains the dominant party in the country—overwhelmingly so. A more direct and palpable issue was never made in this country than was made before the people last fall, and no party was ever more triumphantly sustained by the people than the Republican party then was.

The only complication that has arisen is due to the fact that the acting President, elected by Republican votes, has gone over to the Democratic party, and is seeking to control the patronage of the country to sustain his own treachery, and in violation of the established political usages of the nation. Just such appointments are being made as would have been appropriate and proper had McClellan and Pendleton, instead of Lincoln and Johnson, been elected President and Vice-President in 1864. Under these circumstances, the Republican party are justified in defending the ancient political usages of the country by every constitutional weapon in their hands. The confirmation of the Senate being necessary to all appointments, the Senate would be perfectly justifiable not only, but is in duty bound to insist that every appointee shall be in sympathy with the dominant political sentiment of the country.

Imagine the relations of parties changed, and the Democrats occupying precisely the same position with respect to a President and to the country that is now occupied by the Republicans, and does anybody suppose that a Democratic Senate would confirm Ben. Butler as a Brigadier-General in the army? And yet our Republican Senate has just confirmed Roseau. Would old Ben. Wade stand such a chance of confirmation before such a body as Minister to Austria? And yet the name of John P. Stockton is sent into a Republican Senate, as though there would be an appropriateness in their confirming him. No; if the Democrats had the power that we now have, and had been sold out by a President, as we have been by Andrew Johnson, they would relentlessly refuse to confirm a single man who was not a sound Democrat, and they would be perfectly right in doing so.

It is not for the interest of any party in this country, nor for the country itself, aside from parties, that political treachery should be successful, or should be rewarded. The very genius of our political system obliges all parties to repose implicit good faith in their candidates. When a candidate betrays this confidence reposed in him by his constituents he becomes infamous. If he has since his election experienced an honest change of sentiment, which prevents his acting further with the party which elevated him to power, the only honorable course for him to pursue is to resign. He can then appeal to the people, and if sustained by them, can go back to his position and act with a good conscience. But to hold on to his office after betraying his constituents is to sound the depths of political dishonor. The example afforded by such men as Andrew Johnson, Edgar Cowan, and Doolittle, of Wisconsin, is demoralizing in the extreme, and, if generally followed, would render representative government impossible. Their example would justify a Presidential elector in selling out his constituents and voting for the opposing candidate. It is not for the good of the country that treachery of this kind should be made respectable. Parties have their evils, but among their compensating blessings is the cultivation of that essential requisite of a popular government—perfect good faith by a representative towards his constituents.

THE CONSISTENT BAYARD.—The present Bayard is not a chevallier "sans peur et sans reproche." Courageous as was the knight, he must certainly have possessed decision of character, and been consistent with his principles. But the Hon. James A., of Delaware, seems to have lost the qualities of him of the same name, and wanders through labyrinths of principle and policy until he loses himself. When the United States Senate adopted the iron-clad oath, and applied it to all its members, the then Senator from Delaware, after battling against its constitutionality, declared his determination to forever quit a body thus degraded, and, after taking the oath with melodramatic effect, tendered his resignation. We naturally supposed that the country had seen the last of Bayard as a Senator. But now, however, he "revisits the glimpse of the moon," and returns to the same Senate he quitted in disgust, and quietly takes the same iron-clad oath that drove him from his seat three years ago. How is it that the constitutional spirit that could not brook the illegal oath then is willing to take it now?

A Dangerous Operation of the Law.

It would seem that the proceedings under the recent law in regard to professional thieves were decided summary. A case is reported yesterday. A man was seen to go to purchase a ticket for a circus, and then did not purchase it. He was seen to stand on the platform of a car, and was then arrested. Three detective officers swore that they believed him to be a professional thief; the following conversation concludes the examination:—

"Did you ever see me steal anything?" asked the prisoner of the officer. "No, I did not," was the reply, "but I've seen you often with thieves."

"You've seen others, too, with thieves, have you not?" "Yes, I have."

Defendant was committed for ninety days. Now, we do not know anything about the merits of this particular case. Whether the man was a thief or not is of small consequence. But it shows the enormous power placed in the hands of a set of men who are not of that irreproachable character as never to wrongfully exercise this undue influence. The evidence in the case in point was not that the defendant was a thief, but that he was thought to be a thief, and that he was seen with thieves. This is judging a man by the company he keeps, most certainly. But it looks to us like inverting the maxim of supposing a man to be innocent until he is proved to be guilty. Suppose that the detectives should swear that they believed any respectable man to be guilty of theft, that citizen would be committed for ninety days and have no redress. The officers securing his committal would not be guilty of perjury. They do not swear to anything but to a belief. By this law the liberty of all our citizens is placed in the power of the detectives. It abolishes some of the dearest privileges of personal liberty. It gives the freedom of a citizen into the power of a class of men with whom the Mayor himself was not satisfied until his late message, and the efficacy of whom is still an open question. We do not say that the detectives will abuse their power. We are not reflecting on the force, but we are opposed to such a construction of the law. It is a dangerous piece of legislation. It makes the officers sufficiently powerful to commit a wrong, and to err is human. To send a man to prison for ninety days, without redress and merely on hearsay evidence, if even that name can be applied to it, causes an impression of insecurity on the part of all citizens anything but consistent with the freedom and justice of our laws.

LEGAL INTELLIGENCE.

COURT OF QUARTER SESSIONS.—Judge Brewster.—Michael O'Brien pleaded guilty to a charge of assault and battery upon the person of the wife of the 23rd of March, the officer saw the prisoner attack a little Italian street player and break the latter's jaw. The officer arrested him, and was taking him away when he resisted, and jerking the officer's rifle from his pocket, struck him on the head with it.

Thomas R. Demery was charged with the larceny of eight pairs of shoes, valued at \$72, the property of Winlock Collins, Mr. Collins testified that on the evening of March 10 he saw the defendant take him a white from the street entrance of his store, No. 801 South Third street.

The defendant alleged an alibi. Verdict not guilty. Motion for a new trial was granted. The charge of the larceny of a bundle belonging to Mrs. Steele, Mrs. Steele testified that the bundle was taken and afterwards saw it at the store of Messrs. Homer, Colledge & Co., No. 115 Chestnut street. Mr. Homer testified that a gentleman in English street had seen him with a piece of silk belonging to his firm was at his store in English street. The silk had been stolen by the prisoner, and was taken to the store of Messrs. Homer, Colledge & Co., No. 115 Chestnut street. Mr. Homer testified that the prisoner was arrested and taken to the store of Messrs. Homer, Colledge & Co., No. 115 Chestnut street, which are now awaiting the call of the owners.

The prisoner had been a shopkeeper by profession, and has a number of witnesses to prove it. Agnes Morris was charged with the larceny, as before, of \$700, the property of Elizabeth McKenna. McKenna testified that she found the money in all his money to the defendant on the 24th of February, 1865, to keep for him until he should return twice after that time to Mrs. McKenna for his money, but received none. On last Wednesday he made a demand upon her for his money, and upon being told that she had it, he had her arrested.

The defense alleged that the money was used in paying the rent of the premises, and in buying and wearing for himself, and making presents to his friends, strictly according to his directions. On trial. DICTA AND COURT REPORTS.—Judge Pierce.—Richard Frank vs. Henry Rudersel. An action of replevin for certain articles of furniture. Verdict for plaintiff \$100.

Christopher Cuyler vs. Christopher Selts. An action of trover and conversion of a melon. On trial.

FINANCE AND COMMERCE.

OFFICE OF THE EVENING TELEGRAPH, FRIDAY, APRIL 12, 1867. —The New York Times this morning says:—

"There was less pressure to sell the Railway market down than on Wednesday afternoon. The recovery in the prices of the stocks was about 10 o'clock, when the demand was quite animated, and prices in fact rose, on nearly all the New York and Erie, and the Pennsylvania Railroad, and the Governor's veto of the Central Railroad bill, the sales of the stock, in place of going down, advanced 1/2 cent, and the Erie, 1/4 cent. There seemed to be an impression on the street that the bill would be passed, and that the Central Railroad would be built. Another view was entertained that a new bill can be shaped and passed to meet the objection of the Pennsylvania Railroad measure acceptable to him. In the afternoon the general market and a much more cheerful appearance than yesterday. The Erie, the Pennsylvania Railroad, and the Central Railroad were all higher on Pacific Mail and Western Telegraph. The Treasury Office has received \$1,750,000 per cent, to-day. The Customs duties in gold were \$1,000,000.

The Money market is working steadily at 7 per cent. to the brokers. The demand is fair on an improving stock market, and is especially easy at the present time, in expectations at 6 per cent. on Government collateral."

The Stock Market opened very dull this morning, but prices were without any material change. Government bonds were in demand. 6s of 1881 sold at 109, and June 7-30s at 105, no change. 1875 was bid for 10-40s; 100s for old 2-20s; and 100s for August 7-30s.

City Loans were also in fair demand; the new issue sold at 100, no change.

Railroad shares were inactive. Reading Railroad sold at 49 1/2; 49 1/2; and Pennsylvania Railroad at 55 1/2, no change. 130 was bid for Camden and Amboy; 60 for Norristown; 32 1/2 for North Pennsylvania; 20 for Elmira common; 40 for preferred stock of Erie; 25 for Erie preferred stock; 27 1/2 for Philadelphia and Erie; and 44 for Northern Central.

City Passenger Railroad shares were dull. Tenth and Eleventh sold at 65 1/2; was bid for Thirtieth and Forty-third at 47; Chestnut and Walnut; 72 for West Philadelphia; 13 1/2 for Hestonville; and 28 for Girard College.

Bank shares were in good demand for investment at full prices, but we hear of no sales. 125 was bid for preferred stock of Bank of Commerce; 60 for Commercial; 100 for Northern Liberties; 100 for Southwark; 100 for Kensington; 32 for Manufacturers; 100 for Tradesmen; 60 for City; and 44 for Consolidation.

In Canal shares there was very little movement. Lehigh Navigation sold at 54 1/2, a slight decline. 2 1/2 was bid for Schuylkill Navigation common; 30 for preferred stock; 15 for Schuylkill Navigation preferred stock; 12 for City and County; 10 for Quotations of Gold—10 1/2 A. M., 137; 11 A. M., 136 1/2; 12 M., 137 1/2; 1 P. M., 136 1/2, an advance of 1/2 on the closing price of last evening.

PHILADELPHIA STOCK EXCHANGE SALES TO DAY Reported by Dehaven & Bro., No. 40 S. Third street

DEHAVEN BOARD.

\$1000 U. S. 6s, 1881, do. 105 1/2
\$1000 U. S. 7-30s, do. 105 1/2
\$200 U. S. 7-30s, do. 105 1/2
\$200 do. do. do. 105 1/2
\$1000 City of New York, do. 105 1/2
\$1000 do. do. do. 105 1/2
\$2000 do. do. do. 105 1/2
\$1000 Pa. R. 2d, do. 52 1/2
\$1000 C. & A. do. 50
\$1000 do. do. do. 50
\$200 do. do. do. 50
\$200 do. do. do. 50
\$200 do. do. do. 50

—Messrs. De Haven & Brother, No. 40 South Third street, report the following rates of exchange to-day at 1 P. M.:—U. S. 6s of 1881, 105 1/2; do. 1862, 109 1/2; do. 1864, 107 1/2; do. 1865, 107 1/2; do. 1866, 107 1/2; do. 1867, 107 1/2; do. 5s, 10-40s, 97 1/2; do. 7-30s, August, 105 1/2; do. 1064, do. June, 105 1/2; do. July, 105 1/2; do. 1054, Compound Interest Notes, June, 1864, 118 1/2; do. July, 1864, 117 1/2; do. Aug., 1864, 117 1/2; do. Oct., 1864, 117 1/2; do. Dec., 1864, 117 1/2; do. May, 1865, 112 1/2; do. Aug., 1865, 111 1/2; do. Sept., 1865, 111 1/2; do. Oct., 1865, 110 1/2; do. Nov., 1865, 110 1/2; do. Dec., 1865, 110 1/2; do. Jan., 1866, 110 1/2; do. Feb., 1866, 110 1/2; do. Mar., 1866, 110 1/2; do. Apr., 1866, 110 1/2; do. May, 1866, 110 1/2; do. June, 1866, 110 1/2; do. July, 1866, 110 1/2; do. Aug., 1866, 110 1/2; do. Sept., 1866, 110 1/2; do. Oct., 1866, 110 1/2; do. Nov., 1866, 110 1/2; do. Dec., 1866, 110 1/2; do. Jan., 1867, 110 1/2; do. Feb., 1867, 110 1/2; do. 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